



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/681,946

06/29/2001

Michael Robert LaBlanc

RD-29247

1052

7590

09/06/2005

CHRISTOPHER L. BERNARD ,ESQ.  
1901 ROXBOROUGH ROAD  
SUITE 300  
CHARLOTTE, NC 28211

EXAMINER

JEANTY, ROMAIN

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 09/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/681,946

Applicant(s)

LABLANC ET AL.

Examiner

Romain Jeanty

Art Unit

3623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office action is in response to the filing of this application. Claim 1-24 are pending in the application.

### **Claim Rejections - 35 USC § 112**

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 15 recites the phrase limitation "manipulating information". This phrase renders the claim vague and indefinite. It is not clear what the applicant mean by manipulating.

### **Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-24 are rejected under 35 USC 103(a) as being unpatentable over Dialog

(Primavera Introduces Primavera Expedition 7.0)

As per claim, Dialog discloses:

Art Unit: 3623

creating a project template, inputting project-related information into the project template [Paragraph 10 and 12], transferring the project template to a globally-accessible system; searching and identifying projects within the globally-accessible system (i.e. allow a user to and monitoring and tracking the projects using the globally-accessible system [Paragraphs 17]. Dialog does not expressly disclose transferring of the template to a globally-accessible system and searching and identifying projects with the globally-accessible system. It is old and well-known in the data processing art to transfer a project template to a global network and allowing project participants to search, modify or edit the project template with project information. Therefore, it would have been obvious to a person of ordinary skill in the art to incorporate this well known teaching into Dialog so that a user or project participants can quickly and on the fly create new project documents.

As per claim 2, Dialog fails to expressly disclose wherein the project template comprises one or a plurality of spreadsheets. However, most templates comprise of a spreadsheet for easy input of information.

As per claim 3, Dialog further discloses wherein the globally-accessible system comprises a globally-distributed computer network [Paragraph 2].

As per claim 4, Dialog further discloses storing the project information within the globally-accessible system (i.e., a database for storing the project information) [Paragraph 10].

As per claim 5, Dialog further discloses wherein the project related information comprises **any** of risks [Paragraph 3].

As per claim 6, Dialog further discloses wherein the project related information further comprises **any** of project name, business location, data file name, user name, location of

Art Unit: 3623

information within a database, and any additional field [Paragraph 6].

As per claim 7, Dialog further discloses wherein monitoring and tracking the projects further comprises managing and tracking the projects through the life-cycle of the projects [Paragraph 17].

As per claim 8, Dialog further discloses wherein the globally-accessible system may be accessed by a plurality of remote users simultaneously [Paragraph 2].

As per claims 9, and 14, Dialog teaches:

creating a project template, inputting project-related information into the project template [Paragraph 10 and 12], transferring the project template to a globally-accessible system; searching and identifying projects within the globally-accessible system (i.e. allow a user to and monitoring and tracking the projects using the globally-accessible system [Paragraphs 17]. Dialog does not expressly disclose transferring of the template to a globally-accessible system and searching and identifying projects with the globally-accessible system. It is old and well-known in the data processing art to transfer a project template to a global network and allowing project participants to search, modify or edit the project template with project information. Therefore, it would have been obvious to a person of ordinary skill in the art to incorporate this well known teaching into Dialog so that a user or project participants can quickly and on the fly create new project documents. In addition, Dialog fails to expressly disclose wherein the project template comprises one or a plurality of spreadsheets. However, most templates comprise of a spreadsheet for easy input of information.

As per claim 10, Dialog further discloses wherein the globally-accessible system comprises a globally-distributed computer network [Paragraph 2].

Art Unit: 3623

As per claim 11, Dialog further discloses wherein the project related information comprises **any** of risks [Paragraph 3].

As per claim 12, Dialog further discloses wherein the project related information further comprises **any** of project name, business location, data file name, user name, location of information within a database, and any additional field [Paragraph 6].

As per claim 13, Dialog further discloses wherein monitoring and tracking the projects further comprises managing and tracking the projects through the life-cycle of the projects [Paragraph 17].

Claims 15, 18-22 are computerized system for ensuring process compliance associated with a project for performing the steps of method claim 1; therefore claim 15 is rejected under the same analysis relied upon of claim 1. In addition, Dialog discloses the receiving, storing (i.e., receiving and storing project information in a database [Paragraph 10] and manipulating information relating to the project information (the examiner interprets manipulating information relating to the project as “customizing the project information”. Note Paragraphs 10-12.

As per claim 16, Dialog fails to expressly disclose wherein the project template comprises one or a plurality of spreadsheets. However, most templates comprise of a spreadsheet for easy input of information.

As per claim 17, Dialog further discloses wherein the globally-accessible system comprises a globally-distributed computer network [Paragraph 2].

As per claim 23, Dialog further discloses wherein monitoring and tracking the projects further comprises managing and tracking the projects through the life-cycle of the projects [Paragraph 17].

Art Unit: 3623

As per claim 24, Dialog further discloses wherein the globally-accessible system may be accessed by a plurality of remote users simultaneously [Paragraph 2].

### Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Cho et al (U.S. Patent No. 6,694,309) discloses a spreadsheet-based management project method and system.

b. Rauch et al (US Patent No. 6,272,489) disclose the concept of searching a template globally and the transfer of the template.

c. Fredell et al (us Patent No. 6,678,698) discloses a system and method for communicating project information using a **template**.

d. Wolters et al (U.S. Patent No. 5,826,252) disclose a system for managing multiple projects of similar type using dynamically updated global database.

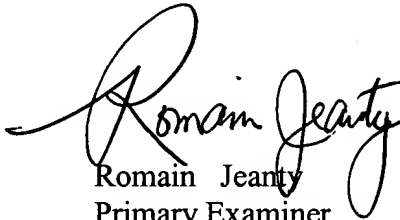
e. Knudson (U.S. Patent No. 5,765,140) discloses a dynamic project management system

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Romain Jeanty". The signature is fluid and cursive, with the first name "Romain" being more prominent than the last name "Jeanty".

Romain Jeanty  
Primary Examiner  
Art Unit 3623

8-22-05